

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

2007 SEP 10 PM 4:31

CLERK *M. Santos*
SO. DIST. OF GA.

UNITED STATES OF AMERICA)

v.)

693,600 PIECES OF WEARING)
APPAREL,)

Defendant.)

CASE NO. CV407-086

DEFAULT JUDGMENT and
FINAL ORDER of FORFEITURE and DISTRIBUTION

Plaintiff, the United States of America, has moved this Court, pursuant to Fed. R. of Civ. P. 55(b), for the entry of a Default Judgment and Final Order of Forfeiture and Distribution against the defendant wearing apparel, Outerstuff, Ltd., its officers, directors, partners, shareholders and agents and all other persons and entities having an interest in the defendant wearing apparel.

Plaintiff has shown that there was reasonable cause to seize the defendant wearing apparel; that a civil Verified Complaint for Forfeiture In Rem was filed, pursuant to 18 U.S.C. § 545, 18 U.S.C. § 981(a)(1)(c), 19 U.S.C. §§ 1595a(c)(2)(E) & 1595a(c)(3), and 19 U.S.C. § 1304; that all known parties were served with proper process; and that all other unknown potential claimants have been served by publication. As reflected by the record in this case, all

persons and entities having an interest in the defendant wearing apparel have failed to appear or to file a claim or answer or otherwise defend the action. No person with standing is before the Court with cause to show why judgment by default should not be granted to the United States of America and against the defendant wearing apparel or to object to the United States' Application for Default Judgment and Motion for Final Order of Forfeiture and Distribution.

Therefore, it is hereby **ORDERED, ADJUDGED** and **DECREED** that:

1. The United States' Application for Default Judgment and Motion for Final Order of Forfeiture and Distribution are **GRANTED**;

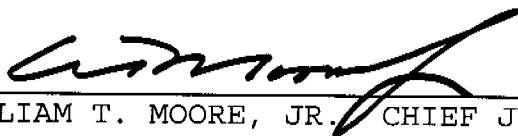
2. The defendant wearing apparel is hereby condemned and forfeited to the United States of America, and all right, title, claim and interest to the defendant wearing apparel by Outerstuff, Ltd., its officers, directors, partners and shareholders, and all other persons and entities are vested in the United States of America;

3. The United States Bureau of Customs and Border Protection shall dispose of the defendant wearing apparel according to law and regulatory procedures;

4. The Clerk of Court is hereby **DIRECTED** to enter judgment pursuant to Fed. R. of Civ. P. 58, upon the same terms and conditions as outlined in this Default Judgment and Final Order of Forfeiture and Distribution; and

5. The Clerk of Court is also **DIRECTED** to send two certified copies of this Default Judgment and Final Order of Forfeiture and Distribution and Judgment in a Civil Case to the attention of Assistant U.S. Attorney James D. Durham at P .O. Box 8970, Savannah, Georgia 31412-8970; two certified copies to the attention of Mary Bensel Mills, Fines, Penalties & Forfeiture Officer, at United States Bureau of Customs and Border Protection at One East Bay Street, Savannah, GA 31401; and one copy to Harold M. Grunfeld, Esq., Grunfeld, Desiderio, Lebowitz, Silverman & Klestadt, LLP, 399 Park Avenue, 25th floor, New York, NY 10022-4877.

SO ORDERED this 10th day of September, 2007.


WILLIAM T. MOORE, JR. CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA